

HAMILTON COUNTY BOARD OF COMMISSIONERS
NOVEMBER 27, 2006

The Hamilton County Board of Commissioners met on Monday, November 27, 2006 in the Commissioners Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session in Conference Room 1A at 12:15 p.m. President Holt called the public session to order at 1:47 p.m. and declared a quorum present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. The Pledge of Allegiance was recited.

Bid Award

Community Development Block Grant Housing Rehabilitation

Mr. Mark McConaghy, Noblesville Housing Authority, stated they receive three (3) bids for the Community Development Block Grant Housing Rehabilitation projects. One bid came in 23 minutes late and we thought we could accept these bids but when reviewing the bid specifications the bid must be received by 2:00 p.m. or the bid would be returned unopened so we had to throw out the bid. Also, there are certain lead based paint requirements that state if there is a house with lead in it we have to keep the work under \$25,000 or abate the lead. Altman asked which bidder was late? McConaghy stated ICS. McConaghy recommended the bids be awarded as follows:

- 305 E. Meridian Street, Atlanta – Tim & Daughters - \$23,130
- 11000 N. Broadway Street, Indianapolis – Tim & Daughters - \$31,065
- 355 S. Indiana Street, Atlanta – JA Yancy - \$26,298
- 612 Hillcrest Drive, Westfield – Tim & Daughters - \$20,295
- 1149 Shoreline Drive, Cicero – Tim & Daughters - \$26,950
- 1507 North Street, Noblesville – JA Yancy - \$24,030

McConaghy recommended the following homes be re-bid in order to attempt to get more competitive estimates. These bids were reasonable but not within the budget:

- 133 Hiawatha Drive, Noblesville
- 163 Tippecanoe Drive, Noblesville
- 205 South 8th Street, Noblesville
- 239 South 8th Street, Noblesville
- 1625 Marbro Lane, Indianapolis

Dillinger motioned to approve. Altman seconded. Altman asked if the difference in what is in the minutes and what is the recommended costs is the change in scope? McConaghy stated the bids are line itemed and then the consultant can pull out items so they meet the \$25,000 threshold. Altman stated the home on Board Street is still over the lead limit and \$2,000 off. McConaghy stated HUD words it that we can go over \$25,000 on the lead abatement because \$6,000 is for lead removal. Altman stated it was adjusted from \$36,000 as stated in the minutes to \$31,000 for what reason? McConaghy stated because all of the contracts over the \$25,000 are for covering up the lead. Motion carried unanimously.

Jackson Township Assistance Appeal

Ms. Suzie Hamrick, 59 E. Neal Apt. 4, Cicero, IN. Hamrick stated she is here for her rent, it was supposed to be government subsidized this month and she (leasing agent) made me sign all of the leasing papers and initial everything and she said she would get a copy to me in a couple of days. When Hamrick received the leasing notice every figure had been changed. Hamrick paid as much as she could this month on that apartment and when she got this figure and went to the Trustee's office she was denied on the rest of her rent payment and help with utilities and everything. Dillinger asked why do you understand you were denied? Hamrick stated they said she was evicted but they never proved she was evicted from anywhere. Dillinger asked if she was evicted? Hamrick stated no, I was not. Altman asked why did you lose your last place of residence? Hamrick stated she voluntarily moved out because she kept passing out and kept telling the office that the smell was really bad in that place because of the animals and people walking down the hall and urinating down their legs and stuff. She was having black-out spells. She told the office that they should think about cleaning the hallways and stuff so she did not have to move out, it was not an eviction. She kept blacking out, she could not stand the smell. There was animals involved and it was disgusting. Altman asked if this was subsidized housing? Hamrick stated yes it was. Altman asked if she reported it to HUD? Hamrick stated yes she did. Altman asked what have they done about that? Hamrick stated nothing that she knows of. It is still like that today. Altman asked where is that location? Hamrick stated in Noblesville, Noble Manor Villages. Altman asked if Hamrick called HUD and reported it? Hamrick stated yes she did. Altman asked when did you do that? Hamrick stated she is not sure, March of this year. Altman stated March of '06? Hamrick stated yes. Dillinger asked what you are appealing for is \$350 for the November 3rd rent? Hamrick stated correct. Dennis (friend of Hamrick) stated the lady told her that the money she was paying for rent would go for one month or two months and then she would go to subsidized which would be \$120 per month, the first one to come open she is available for. Holt asked if this is at the Neal Street address? Hamrick stated yes. Dennis stated he does not know where they stand right now as far as government subsidized being opened. It was supposed to be coming open soon. She agreed to pay this amount of money and then when she got her papers, he was there when she signed the papers, and the person running the place would lower her rent. She can't make it, it is his understanding that nobody will help her to get by. Dillinger asked if the monthly income is from Social Security disability benefit? Hamrick stated yes.

Mr. Duane Hiatt, Jackson Township Trustee, stated during her (Hamrick) interview she did state that she had been evicted from Noble Manor because she was causing trouble with the other residences. When talking with Noble Manor they said she was evicted for non-payment. Her deposit is not paid on the apartment that she is moving in to. She did sign an agreement to pay so much a month, she paid it the first month which was October and there has been nothing paid in November. On those two things he would have to turn her down. She could still be evicted for the non-payment of the deposit. Altman asked if she qualified to receive assistance based on her income levels and assets? Hiatt stated yes. Altman asked if she submitted all of the paperwork he has requested? Hiatt stated no. Altman asked what is missing? Hiatt stated on her application she did not put any previous address, she did not put what she wanted, she put rent but no reason why she needed it, which is important. She is in a dispute with the apartment manager. Altman stated she is just asking if on paper she qualifies for assistance? Hiatt stated she would have. Altman asked if you gave her written notice as to what additional information she needed to provide to you? Hiatt stated the information that he based this on, he did not need additional paperwork for that. In other words the eviction from Noble Manor and her non-payment of deposit. She gave me the paperwork on her deposit schedule. Altman stated she understands she could get evicted but the whole purpose of assistance is to tied someone over for a very short period so they have someplace to live, she would have had a place to live for a short time period, correct? That is what she is trying to get down to, the reason for denial. Hiatt stated her income would not support the rent on that apartment. Altman stated long term but assistance is for a very short time period so they can rearrange or get their financing together, correct? Hiatt stated ok. Holt stated she is explaining that she would have been eligible for the subsidy at the Neal Street address she would

HAMILTON COUNTY BOARD OF COMMISSIONERS
NOVEMBER 27, 2006

have been eligible for the next one up. Altman stated she understands but the reason for denial can not be because you are going to be evicted. You focus on such a short time period and you focus on keeping someone stable for a month so they can get back on their feet. Dillinger asked how can she get back in this apartment without a deposit? Hiatt stated they set it up over a four month period. Dillinger stated she pays more rent per month in order to accumulate the deposit. Hiatt stated she pays the rent plus the deposit. Dillinger stated if she has an agreement on that how did she violate anything by not paying a deposit? Hiatt stated she has not paid the deposit for November. Dillinger asked if she has paid her rent for November? Hiatt stated also she can be evicted if she does not pay it later. You run into the same thing with electric, a lot of them are getting 90 days to pay their deposit and if they don't pay their deposit at 90 days they shut them off. Dillinger stated it takes how long of this excess rent to meet her deposit, four months? (inaudible conversation) Peggy Hiatt stated the Trustee can not pay a deposit. Hiatt stated she paid October but has not paid November. Dillinger stated she has not paid November because that is what she is asking for. Hiatt stated she is asking for November's rent. The Trustee will not pay a deposit on rent, electric or anything. Dillinger stated if you were to approve that it would be rent less deposit? Hiatt stated no, the deposit is on top of the rent. They have to get this dispute settled with the apartment. There is a big argument on how much the rent is. It is in black and white but it is something between them. Altman stated under a subsidized unit if the landlord does not have all of their paperwork in place they will receive a HUD audit and have to be pay it all back. Altman trusts the landlord will figure it out very quickly and make sure there is an agreement in place on rent. P. Hiatt stated they are not getting subsidized housing, she is paying full amount for the apartment and she can not afford it. Altman stated she understands that but she has to live some where. P. Hiatt stated she was evicted because of non-payment on a HUD deal. D. Hiatt stated it is in the guidelines that if you are evicted from subsidized housing the township is not obligated to pay your rent. Altman asked if that is in the assistance guidelines? Hiatt stated yes. Also the guidelines state the Trustee does not pay a deposit or reconnect fee. Altman stated she understands that but it comes back that the reason for denial was the eviction from the prior apartment, did you ever get that documentation in writing from the prior apartment complex? Hiatt stated he received it in a phone call. Altman stated this puts us in a very difficult situation because we have a dispute between you and this young lady whether she was evicted or not or whether it was a HUD complaint. P. Hiatt stated she (Hamrick) told her she was evicted because she was causing trouble with other residents. When D. Hiatt checked with Noble Manor they said she was evicted because she had not paid her rent. She has falsified or did not tell the truth two or three times. Dillinger asked Hamrick if she has paid her rent? Hamrick stated yes. Hamrick presented receipts showing \$465 when she moved in, \$64 in October. Holt asked Hamrick if she told Mrs. Hiatt she was evicted from Noble Manor? Hamrick stated no she did not. She voluntarily moved because of the smell and blackouts. The hospital can prove it. She has documented paperwork where she has had blackouts walking down the hallway. They had to carry her out on a stretcher and a backboard. Dillinger asked if she has a receipt where she paid her October rent? P. Hiatt stated these receipts are for Cicero Village, not Noble Manor. Holt asked if Hamrick has her September receipt from Noble Manor? Hamrick stated no, she was not living there in September. Holt asked where did you live? Hamrick stated 130 miles north of here. Holt asked when did you leave Noble Manor? Hamrick stated in March of this year. \$350 is what she paid for November's rent. That is what she is disputing. She paid the deposit and has asked for help for the rent. Holt stated he thinks everyone is in agreement, that is not in dispute. The question is if you were evicted from subsidized housing? Hamrick stated no she was not, she left on her own. Altman asked Hamrick if she received any letters telling her she would be evicted from that place of residence? Hamrick stated no. Altman confirmed no written notice from them? Hamrick stated no. She has not received any of that. Altman stated she is talking about the old residence in March to make sure we are clear. Hamrick stated yes. Holt asked if it would be logical to continue this to the next meeting and either Mrs. Hamrick get a letter from Noble Manor stating the circumstances of your departure or Mr. Hiatt getting a letter from Noble Manor stating that she was evicted? Hamrick stated they can come up with that and put in any date and time. That is not fair on her. Holt stated why is that? Hamrick stated that is what apartment complexes do, they can type up anything and put any date on it. Holt asked if she thinks Noble Manor would falsify that information? Hamrick stated yes she does. It was not the tenants she was not getting along with, it was the smell. Altman motion that at this point given the cost to the township and to the county I believe we should allow \$300 in rent as the sole relief with the understanding that no more assistance will be granted until full documentation is issued with respect to your situation with your March prior apartment. Dillinger seconded. Altman stated she knows this will not make the township trustee happy but without written documentation on eviction. P. Hiatt stated we can get that. Altman stated perhaps we will refer this to the Prosecutor for perjury, if that is correct. Altman asked if Hamrick understands that? Hamrick stated yes she does. They can come up with any date and put it on a piece of paper. Anybody could do that. Altman stated then they would be committing perjury and we would pursue perjury. Dillinger and Altman approved. Holt opposed. Motion carried.

Public Hearing [2:14:30]

Resolution 11-27-06-1, Preliminary Determination to Enter Into Proposed Lease for Construction at the Hamilton County Community Corrections Campus

Howard stated the Resolution describes the project at the Hamilton County Corrections Campus. There are two phases. We would expect the north part of the project and the land acquisition would be needed as soon as possible. The land acquisition is needed because we don't have room to park the construction workers and we will need it sooner or later. Howard stated this is the first step, they will proceed to County Council and then to the Department of Local Government Finance hearing in February.

Sheriff Carter presented a description and need for the project. Carter stated this group had requested he maximize the jail complex in 2003 and how it would change to create a 30 year plan. Phase 1 has been identified as the Jail north end to include land acquisition. The current jail facility was constructed in 1992 with 292 beds. Current average is about 337 jail beds used per day. Over the last five years there has been a 30% increase from 4735 to 6578 annually. The north end project includes book in the sallyport, kitchen services, medical services, video presentation, parking and jail administration. Currently we are operating well beyond the reasonable numbers of jail beds being used per day particularly with the ratio of corrections officers per inmates. All three members of the Board of Commissioners have seen the facility and understand the dynamic that is played out every single day. Phase 2 has three component pieces. The first piece is community corrections. Ralph Watson has become the go-to guy for the entire State of Indiana and possibly the Midwest with program capability and understanding the need for dynamic change in that environment. Certainly with the community corrections project it is a very efficient use of tax dollars, it is less to construct than maximum security jail space. Treatment education and skills focused is one of the most important pieces of this. This is the future direction of the Department of Corrections. The complexity of what the Department of Corrections is doing will require this additional square footage space for programming needs. In order to continue to support the community corrections environment in Hamilton County it will be very important that the space is available. A prison bed is \$53.50 per day verses a jail bed of \$57.41 per day. Hamilton County Community Corrections

HAMILTON COUNTY BOARD OF COMMISSIONERS
NOVEMBER 27, 2006

operates at about \$42.60 per day. We have talked about alternative sentencing and alternative places to control the actual 24/7 jail environment. The community corrections initiative, while they are full and have a waiting list of five months, will not be able to continue to operate at that level. Most of our inmates have committed crimes involving OWI, DUI, PI and those types of offenses. Those types of offenders and first time offenders would fall under the community corrections environment but there currently is not space for them. The retrofit of the existing jail – it makes sense for us to not build additional maximum bed space but retrofit what we currently have. Often times the majority of our inmates can be housed in minimum security environment. This will be considerably less dollars than a new jail and it will meet our long term jail needs. There is a connector between the old jail and the new community corrections building that will allow for collective resources and sharing those resources on a daily basis 24 hours a day, seven days a week. This retrofit will not happen until the last stage of this project. The third component of Phase 2 is the south end, there has been a lot of discussion of the future of communications. Mayor Ditslear has approached him about the idea of sharing their dispatch and the county's dispatch. Why should it be at the county facility, because it is the most secure. Currently Noblesville's dispatch center is in an area that is rather public. This does not mean the Sheriff will take responsibility for it that is not the intent. The intent is to share the resources and better utilize E-911 dollars. Emergency Management moved to the 4-H Grounds several years ago, it is critically important that they come back. As we continue to look at ways to become more efficient, we are not doing that with them, particularly if we have an incident in the county that would require us to come together and unite and share collective resources. This would bring back accountability, not only to the Emergency Management employees but also to the initiative of what Emergency Management represents. Real time coordinated response is currently missing. We do not have a way to connect all of us together. It makes sense to do the south end administrative area while construction is there. We are not adding anything, we have reduced the space about 40% from what was originally presented. This will allow us to regain what we had in the building in 1993. Carter reviewed the drawings with the Commissioners. Carter stated the build out of the third floor of the community corrections building will not be necessary until 2017, according to current projections. Dillinger clarified that the initial thought is to not put in the 400 beds? Carter stated the initial thought is 200 beds with the ability of expanding to 400 beds when the need arises. Altman stated we have discussed doing a bid alternate on the third floor. Howard stated the current budget has two bid alternates- one is finishing the parking lot, initially it will have to be put in stone for construction parking. The alternates would be building out the parking lot and/or building out the third floor. The base bid is for the first two stories. We would not build out the basement or the third floor. Altman asked if we are still doing bid alternates in case we get good bids? Howard stated yes. We have put together a plan to not exceed \$44 million. Phase 1 would be financed under a bond anticipation note. The permanent financing bonds would not be sold until you defined and approved the total scope, including alternates, if money is available. Altman stated you said there is a pressing need for the parking land acquisition, she does not see a pressing need for that at this point. What you have described as the open area could be used for staging. Altman does not know why we would not use the tower area as staging. Mr. Larry Dawson stated when the animal shelter building is demolished, that is where the Community Corrections building will be located. We don't want to park on the top of the existing parking structure. It has just been re-done and is in good shape. We will have 30-40 trailers with the materials off loaded onto the ground. We will probably not pave for parking but if we can acquire the land and put down a good stone base coat, then we would not lose any money during the staging process. Howard stated the question is why is the tower area not sufficient? Dawson stated primarily because of the location of the construction. Altman stated it depends on how much material storage you want on site right next to the building. It would be possible to not spend the money for the land right now, at extremely high comp rates. Dawson stated there could be enough room made available. Altman stated you will have the area where the storage barns are now. Dawson stated that is going to be transferred into a parking lot, primarily for the Sheriff's department employees. We are trying to keep the traffic flow on the outside and keep the public parking confined to the middle so we don't have the public co-mingled with the sheriff's employees. We will have a significant new population in the juvenile center with more day and night reporting and more classes. Altman asked if we can accomplish this project without acquiring that land? Dawson stated yes. Dawson stated we are trying not to waste any money. If we put parking and staging on the tower land we will have mud and materials all over the site all of the time and we will be spending a lot of money cleaning. If we put the parking on the south side we can put in a gravel base and then eventually pave it for parking. Dillinger asked if we are going to spend \$1 million in cleaning? Dawson stated no, we probably would not but then you put all of the stone down and then come back and take it out. Altman stated we could flip the project a bit and put the staging where the pole barns are now. Dawson stated if we build out for the 200 beds the building will be complete in 2009.

[2:39:59] Holt opened the public hearing. No public comments. Holt closed the public hearing.

Dillinger motioned to modify the preliminary project cost maximum to \$39 million. He arrived at that by eliminating the land acquisition and the south expansion, which he has been against all along. No second, motion dies. Altman motioned to approve Resolution 11-27-06-1 at the maximum rate at \$43 million which excises at this time the land acquisition. Holt seconded. Altman and Holt approved. Dillinger opposed. Motion carries.

Approval of Minutes

Dillinger motioned to approve the minutes of November 13, 2006. Altman seconded. Motion carried unanimously.

Executive Session Memoranda

Dillinger motioned to approve the Executive Session Memoranda of November 27, 2006. Altman seconded. Motion carried unanimously.

Highway Business [2:42:57]

Acceptance of Bonds/Letters of Credit – Highway Department

Mr. Joel Thurman requested acceptance of Bonds and Letters of Credit for the highway department. 1) HCHD #B-98-0082 – Ohio Casualty Insurance Company Continuation Certificate for Bond No. 3-466-466 on behalf of Harvey Construction Company, Inc. to now expire November 25, 2007. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit – Highway Department

Thurman requested the release of Bonds and Letters of Credit for the highway department. 1) HCHD #B-03-0134 – Bond Safeguard Insurance Company Bond No. 5006307 issued on behalf of Precedent Residential Development, LLC for Fox Hollow at Geist, Section 1 concrete curbs, binder and surface. 2) HCHD #B-04-0089 – Bond Safeguard Insurance Company Bond No. 5013351 issued on behalf of Precedent Residential Development, LLC for Fox Hollow at Geist, Section 3 street signs. 3) HCHD #B-04-0090 – Bond Safeguard Insurance Company Bond No. 5013352 issued on behalf of Precedent Residential Development, LLC for Fox Hollow at Geist, Section 3 asphalt path. 4) HCHD #B-05-0037 – Bond Safeguard Insurance Company Bond No. 5014734 issued on behalf of Precedent

HAMILTON COUNTY BOARD OF COMMISSIONERS
NOVEMBER 27, 2006

Residential Development, LLC for Fox Hollow at Geist, Section 4 street signs. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Agreements/Supplements

Bridge #119 Supplement #1

Thurman requested approval of Supplemental Agreement No. 1, E-06-0001, with First Group Engineering for rehabilitation of Bridge No. 119 carrying 191st Street over Stony Creek. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

146th Street LPA Agreement

Mr. Brad Davis requested approval of a change in the terms of the LPA (Local Public Agency) Agreement with INDOT (Indiana Department of Transportation) for the 146th Street Extension. There terms have changed on how the reimbursements are paid out. The original agreement had the reimbursements had the payments going to the corporate trustee. The payment schedule states the payments go directly to the City of Noblesville or Hamilton County depending on the amount of dollars requested. INDOT is aware of the change and their advice is to have this page of the agreement initialed and dated with the change. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Annual Highway Bids Advertising

Davis requested permission to advertise for the 2007 annual highway bids. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

2007 Friday Morning Highway Meetings

Davis requested approval of the 2007 Friday morning highway meeting schedule. Altman motioned to approve the meeting notice as submitted. Dillinger seconded. Motion carried unanimously.

Davis stated there is a meeting scheduled for this Friday, December 1st and he would like to hold the meeting if the Commissioners are available. The commissioners canceled the December 1st meeting.

Davis requested scheduling the thoroughfare plan update meeting. This meeting will be held December 21, 2006 at 9:00 a.m. in Conference Room 1A.

136th Street RFP

Davis stated he has an inquiry into INDOT to see if the consultants have been selected on the 136th Street RFP. He has been told by INDOT that we can proceed. He will be participating in a 3-day workshop on the entire process.

County Commissioners Association Conference

Davis stated there will be a honorary presentation during the IACC presentation about 1:15 p.m. on Wednesday.

INDOT Interchange Study

Davis stated INDOT has received a questionnaire from INDOT for an interchange study on I-69 and Cyntheanne Road.

Holt called a break in the meeting.

Holt called the meeting back to order.

Jackson Township Assistance Appeal Continued [3:08:57]

Holt stated during the recess Duane Hiatt, Jackson Township Trustee, brought in verification from Noble Manor Apartments signed by Wendell Roberts stating that Mrs. Hamrick was asked to leave for failure to pay rent and her lease was terminated. Altman motioned to re-open the matter. Dillinger seconded. Motion carried unanimously. Altman motioned to deny the poor relief request based on the additional evidence received. Dillinger seconded. Motion carried unanimously. Altman motioned to refer this to the Prosecutor's office as suggested to the young lady when she was here. Motion dies due to lack of a second.

Altman asked Howard to determine and give a definitive ruling if the commissioners can conduct a closed session during township assistance appeals.

Buildings and Grounds Contract Renewals

Mr. Scott Warner requested approval to renew maintenance contracts for Electrical Equipment Company (courthouse fire alarm), Initial Electronics (security cameras/monitors), Grunau Company (fire sprinklers/backflow devices), Precision Control Systems (DDC control tech support), SimplexGrinnell (Judicial/Jail/Juvenile/Animal Shelter fire alarms). Dillinger motioned to approve. Altman seconded. Holt asked why did the Grunau contract go up? Warner stated due to the Juvenile Services Center new fire sprinkler system and multiple backflow devices and one new backflow to the animal shelter. The prices are in line with what we would expect. Motion carried unanimously.

Commissioner Committee Reports [3:13:12]

Criminal Justice Committee

Dillinger stated the Criminal Justice Committee has been reactivated. We are focusing in on specific things we can do or work with the Prosecutor and the courts to try to eliminate our Probation problems, how many are on Probation, how long and how much it is costing them. The Committee is researching that for discussion after the first of the year.

Personnel Committee

Dillinger stated the Personnel Committee met. They are addressing the issue of part-time professional rate to equate to the part-time pay scale. A township trustee had two employees that did not want to work full-time and when we looked at the rate the same job could be done using both employees for one full-time position. They would keep their pay at the maximum part-time pay rate and the county does not have to pay benefits. Dillinger stated he thinks we could promote this type of job sharing. Dillinger stated the cost of benefits is \$18,000-\$25,000 per full time employee. Holt asked how much of that is insurance? Dillinger stated \$13-\$15,000. Holt stated for our portion? Dillinger stated yes.

Indianapolis Chamber

Altman stated the Indianapolis Chamber has an infrastructure committee that is looking at regional infrastructure to put a report together as to where we are strong, where we are deficient, etc.

Hamilton County Convention and Visitors Bureau

Altman stated the Hamilton County Convention and Visitors Bureau (HCCVB) building is substantially complete with closing expected this week. In order to get the closing done the building and contract is in the HCCVB's name. The county council has requested the building be held in the county name. There will need to be a long term lease and special commitments if it is ever sold.

RTA

Altman stated the RTA has commissioned entering into a contract with an accounting firm to isolate regional revenue sources. We are looking to fund transit but if this is done properly we are looking at what a regional sales tax, regional income tax would bring in. This may be helpful to us in seeing what alternate tax revenues are available.

HAMILTON COUNTY BOARD OF COMMISSIONERS
NOVEMBER 27, 2006

Animal Shelter Certificate of Insurance

Altman stated she is very concerned that the animal shelter's Certificate of Insurance is not adequate. There is \$5,000 medical per person. Holt asked Howard if the lease has coverage stated? Howard stated he has prepared an amendment which he sent out last week. The med-pay is inadequate, they are at \$1 million per occurrence, statute states \$5 million. He listed \$500,000 per person. He has spoken to Bob Fearrin, who suggested the language which was mailed out and he has not received them back. The county will be the umbrella with \$1 million per occurrence. Altman stated damage to the premises is only \$100,000. Howard stated that is for their contents. The building, fire and extended coverage will be on the county policy. Altman asked if they are going to have liability coverage? Howard stated their third party liability coverage is \$500,000 per person and \$1 million per occurrence. We did not discuss if they burn the building down. The county will have full coverage on the building. Holt stated if they burn the building down we are still insured. Altman asked if we are any part self insured on physical structure? Howard stated we are to a certain level. Altman stated at a minimum they should cover our costs.

Attorney [3:25:57]

3rd Floor Renovations

Howard requested approval of the agreement between Hamilton County and Fredericks, Inc. for the Judicial Center 3rd Floor Renovations. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Resolution 11-27-06-1

Howard requested signatures on the revised Resolution 11-247-06-1. He has removed the \$1 million for land acquisition. There are references to land acquisition because it will be a lease and the holding corporation will have to acquire part of the exterior land that is still encumbered by our original lease when we built the jail in 1991 and 1992. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

96th/421 TIF Project

Howard stated when the 96th/421 TIF Project was started there were land acquisition costs and we borrowed \$950,000 two-year note through the Redevelopment Commission. That note matures in January and we have collected more than enough TIF to pay the note off. Bond Counsel has recommended we borrow another \$500,000 in a new note to acquire more land and the highway department has put this project back on the radar screen to keep the project moving. If objections to the annexation is over ruled the allocation area would disappear and both Carmel and the county want this in place. Howard requested approval and signature on the Bond, No Litigation Certificate and the Bond Purchase Agreement. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Liability Settlement Authority

Mr. Darren Murphy requested settlement authority for ASC (Alternative Services Concepts) to settle on a Sheriff's vehicle accident claim up to \$10,000 maximum. Medical expenses for the individual are \$7,300. Dillinger motioned to approve the recommendation of the attorney. Altman seconded. Motion carried unanimously.

Administrative Assistant

Hamilton County Transportation Advisory Committee

Mr. Fred Swift stated the Hamilton County Transportation Advisory Committee meets in the Commissioners Courtroom tomorrow (November 28) at 1:00 p.m. for an announcement of a countywide transportation program.

Sallyport Parking Spaces

Swift stated Judge-elect Gail Bardach wants to begin to come to work on December 18th. We need a parking space in the sallyport for her. Altman recommended re-configuring the north end parking spaces by the smoking room. Holt motioned to ask Altman to work with Swift. Dillinger seconded. Motion carried unanimously.

Auditor [3:38:19]

County Treasurer Monthly Report

Ms. Kim Rauch requested acceptance of the County Treasurer's Monthly Report dated October 31, 2006. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit – Drainage Board

Rauch requested acceptance of Bonds and Letters of Credit for the drainage board. 1) HCDB-2006-00053-Fidelity and Deposit Company of Maryland Performance Bond No. 08855117 for the reconstruction of the Harmon Clark Drain through South Oak Commercial Park - \$48,748. 2) HCDB-2006-00056 – Bond Safeguard Insurance Company Subdivision Performance Bond No. 5022821 for the Village of West Clay Moultrie Street Subdivision monuments and markers - \$360. 3) HCDB-2006-00057 – Bond Safeguard Insurance Company Subdivision Performance Bond No. 5022820 for the Village of West Clay Moultrie Street Subdivision storm sewers - \$11,047.20. 4) HCDB-2006-00059 – Fidelity and Deposit Company of Maryland Completion Bond No. 8859126 for the Holy Trinity Greek Orthodox Church off-site storm - \$41,800. 5) HCDB-2006-00060 – Developers Surety and Indemnity Company Subdivision Improvements Performance Bond No. 718942S for the reconstruction of the Krause & Klepfer Drain through Sunny Meadows Section 1 - \$221,365. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit – Drainage Board

Rauch requested acceptance of the release of Bonds and Letters of Credit for the drainage board. 1) HCDB-2004-00038 – Lexon Insurance Company Subdivision Bond No. 1007675 – Heather Knoll Subdivision – Stultz & Almond Drain Reconstruction/Offsite Storm Sewer - \$136,858. 2) HCDB-2005-00042 – Huntington National Bank Irrevocable Standby Letter of Credit No. OSB.003321 – Stopplewerth Office Building – Margaret O'Brien Drain Reconstruction - \$14,013.60. 3) HCDB-2005-00043 – Bond Safeguard Insurance Company Subdivision Bond No. 5016606 – Long Ridge Estates Section 1 storm sewers - \$302,805.60. 4) HCDB-2005-00045 – Bond Safeguard Insurance Company Subdivision Bond No. 5016606 – Long Ridge Estates Section 1 erosion control - \$10,200. 5) HCDB-B01033 – Developers Surety and Indemnity Company Subdivision Bond #886729S – Centennial Section 6 erosion control - \$31,813. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Acceptance of Bond – Animal Shelter

Rauch requested the acceptance of a bond for the Hamilton County Animal Shelter project. 1) HCBOC-2006-0016 – Selective Insurance Company of America Performance and Payment Bond #404764 for Applied Coatings, Inc. in the amount of \$69,672 for painting and wall papering for the Humane Society (Animal Shelter) of Hamilton County to expire June 9, 2008. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Capital Asset Notification Forms [3:39:35]

Rauch requested acceptance of Capital Asset Notification Forms from the Sheriff's Department and Court Administration. Dillinger motioned to approve. Altman seconded. Dillinger retracted his vote. Altman retracted her second. Dillinger stated the trade-in of the court copiers was done without the knowledge of the Judges. He understands that some of the copiers were perfectly fine. Altman asked who signed the contract to purchase the new copiers, especially when we are getting a purchasing agent? Ms. Robin Mills stated Mr. Schierholz did go to the county council

HAMILTON COUNTY BOARD OF COMMISSIONERS
NOVEMBER 27, 2006

on the copiers in order to save money. County Council did approve what was done. Dillinger stated the council does not have the authority to sign that contract, nor does he. Altman asked where did he get the money? Dillinger stated the council gave him the money. Dillinger stated everyone has taken the attitude that it is better to ask for forgiveness than permission. Holt asked why do we not hire a purchasing agent and let that put it to rest? Swift stated he has found out that the funding for the purchasing agent was taken out of the 2007 Budget. Altman motioned to approve the Capital Asset Notification Forms for the Sheriff cars. Dillinger seconded. Motion carried unanimously. Dillinger asked if the forms for the copiers could be held to the next meeting? Rauch stated these are just the forms notifying the Auditor that these copiers need to be removed from the Fixed Asset list. Dillinger motioned to approve. Holt seconded. Dillinger and Holt approved. Altman opposed Motion carried.

Elected Officials and Department Head Meeting

Next year’s Board President will schedule a meeting with elected officials and department heads in 2007.

Purchasing Agent

Holt asked if we should request an additional appropriation from the council in December for the purchasing agent? Altman stated we can only get a resolution; the additional would have to wait until January. Mills stated they will be able to amend the 144 Form. Altman asked if Waggoner, Irwin, Scheele quantified the savings amount? Dillinger stated Sheena (Randall) may have that. It was a consensus of the commissioners to request to be placed on the December council agenda for the purchasing agent appropriation.

Payroll Claims

Dillinger motioned to approve the Payroll Claims for the period of November 6-19, 2006 paid December 1, 2006. Altman seconded. Motion carried unanimously.

Vendor Claims

Dillinger motioned to approve the Vendor Claims to be paid November 28, 2006. Altman seconded. Motion carried unanimously.

Altman motioned to adjourn the meeting. Dillinger seconded. Motion carried unanimously.

Commissioners Correspondence

- Beam, Longest and Neff Notice of Transmittals:
 Bridge #133, East 186th Street over Stony Creek
 Bridge #220, Lamong Road over McKinzie Ditch
 Bridge #110, 186th Street over Cool Creek
IDEM Notice of Sewer Permit Applications:
 106th Street Pump Station Improvements – Carmel
 Carmel Wastewater Treatment Plant – Carmel
 Sedona, Section 4 – Fishers
IDEM Operating Permit for Asphalt Plant:
 E & B Paving, Inc.
IDEM Notice of Sanitary Sewer Construction Permits:
 Fishers Softball Complex – Fishers
 Sunny Meadows, Sections 1, 2 & 3 – Fishers
Certificate of Liability Insurance:
 Humane Society for Hamilton County

Present

- Christine Altman, Commissioner
Steven C. Dillinger, Commissioner
Steven A. Holt, Commissioner
Robin M. Mills, Auditor
Kim Rauch, Administrative Assistant to Auditor
Fred Swift, Administrative Assistant to Commissioners
Michael A. Howard, Attorney
Darren Murphy, Attorney
Doug Carter, Sheriff
Brad Davis, Highway Director
Joel Thurman, Interim Highway Engineer
Virginia Hughes, Administrative Assistant to Highway Engineer
Amber Emery, Highway Public Service Representative
Tim Knapp, Highway Right-of-Way Specialist
Faraz Kahn, Highway Department
Kathy Howard, Highway Department
Bob Davis, Highway Superintendent
Chris Sikich, Noblesville Ledger
Patti Smith, Beam, Longest and Neff
Becki Wise, USI
Duane Hiatt, Jackson Township Trustee
Peggy Hiatt, Jackson Township
Suzie Hamrick, Jackson Township Assistance Appeal
Jonathan Babalola, Noblesville Daily Times
Scott Warner, Buildings and Grounds
Jim Crawford, Krieg, DeVault
Jenny Bowling, Kreig, DeVault
Randy Ruhl, Cities Securities
Jim Treat, OW Krohn & Associates
Dan Stevens, Sheriff Department
Ralph Watson, Community Corrections
Mark Bowen, Sheriff Department
Tim Garner, Sheriff Department
Larry Dawson, Envoy, Inc.
Joe Mrak, RQAW

Scott Warner, Buildings & Grounds

APPROVED
HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST

Robin M. Mills, Auditor